



AFS  
THD

Practitioner's Docket No. PITT-1 DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joel S. Greenberger, Paul A. DiMilla, Michael M. Domach, and Raymond K. Houck  
Application No.: 09/292,056 Group No.: 1744  
Filed: April 14, 1999 Examiner: David A. Redding  
For: METHOD AND APPARATUS FOR HOLDING CELLS

Mail Stop Petition AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed March 23, 2006, for a second time rejecting claims 1, 47-64, 70-81, 86-97, 99, 100, 103, 104 and 124-127.

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on November 1, 1996.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

X with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date:

9/28/06

Signature

Tracey L. Klaas

Tracey L. Klaas

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Small entity                      \$250.00

Notice of Appeal fee due              \$250.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for 3:

Fee              \$510.00

If an additional extension of time is required, please consider this a petition therefor.

An extension for three months has already been secured, and the fee paid therefor of \$510.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request              \$0.00

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee      \$250.00

Extension fee      \$0.00

**TOTAL FEE DUE      \$250.00**

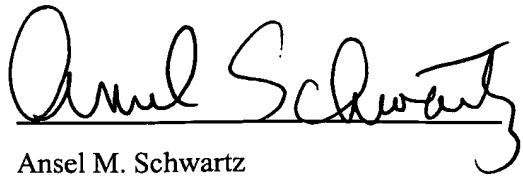
**5. FEE PAYMENT**

Attached is a check in the amount of \$250.00.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 19-0737.

A handwritten signature in black ink, reading "Ansel Schwartz". The signature is written in a cursive style with a large, looped "A" and a trailing flourish at the end. A horizontal line is drawn beneath the signature.

Ansel M. Schwartz  
Registration No. 30,587  
Attorney at Law  
201 N. Craig Street  
Suite 304  
Pittsburgh, PA 15213  
412-621-9222